

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRE JEAN REUM,

Defendant.

CR 22-52-GF-BMM-JTJ

FINDINGS AND
RECOMMENDATIONS

I. Synopsis

Defendant Andre Jean Reum (Reum) has been accused of violating the conditions of his supervised release. (Doc. 62) Reum admitted the violation. Reum's supervised release should be revoked. Reum should be sentenced to custody for 2 months, with 47 months of supervised release to follow. During the first 60 days of supervised release, Reum shall be placed in an in-patient substance abuse treatment facility such as Connections Corrections.

Status

Reum plead guilty on September 1, 2022, to the offense of Attempted Possession with Intent to Distribute Fentanyl, in violation of Title 21 U.S.C. §§ 841(a)(1), 846, and Title 18 U.S.C § 2 as charged in Count 2 of the Indictment. (Doc.

30) Reum was sentenced to 27 months of custody with 4 years of supervised release to follow. (Doc. 43) Reum's current term of supervised release began on November 1, 2024.

Petition

On November 6, 2024, the United States Probation Office filed a Petition requesting that the Court revoke Reum's supervised release. (Doc. 62) The Petition alleged Reum violated conditions of his supervised release by: (1) being terminated from inpatient treatment at Connections Corrections on November 6, 2024.

Initial Appearance

Reum appeared before the Court on November 26, 2024, 2024. Reum was represented by counsel. Reum stated that he had read the Petition and that he understood the allegations against him. Reum waived his right to a preliminary hearing. The parties consented to proceed with the revocation hearing before the undersigned.

Revocation Hearing

Reum appeared before the Court on November 26, 2024. Reum admitted that he had violated the conditions of supervised release as set forth in the Petition by: (1) being terminated from inpatient treatment at Connections Corrections on November 6, 2024. Reum's violation is serious and warrants revocation of his supervised release.

Sentencing hearing

Reum appeared before the Court on November 26, 2024. Reum's violation is a Grade C violation. His criminal history category is III. Reum's underlying offense is a Class B felony. Reum could be incarcerated for up to 36 months. Reum could be ordered to remain on supervised release for up to 47 months less any custody time imposed. The United States Sentencing Guidelines call for a term of custody of 5 to 11 months.

III. Analysis

Reum's supervised release should be revoked. Reum should be sentenced to custody for 2 months, with 47 months of supervised release to follow. During the first 60 days of supervised release, Reum shall be placed in an in-patient substance abuse treatment facility such as Connections Corrections.

Conclusion

The Court informed Reum that the above sentence would be recommended to the Chief United States District Judge Brian Morris. The Court also informed Reum of his right to object to these Findings and Recommendations within 14 days of this issuance. The Court explained to Reum that Judge Morris would consider a timely objection before making a final determination on whether to revoke his supervised release and what, if any, sanction to impose. Reum stated that he

wished to waive his right to object to these Findings and Recommendations, and that he wished to waive his right to allocute before Judge Morris.

The Court **FINDS:**

That ANDRE JEAN REUM has violated the conditions of his supervised release by (1) being terminated from inpatient treatment at Connections Corrections on November 6, 2024.

The Court **RECOMMENDS:**

That the District Court revoke Reum's supervised release and sentence Reum to custody for 2 months, with 47 months of supervised release to follow. During the first 60 days of supervised release, Reum shall be placed, an in-patient substance abuse treatment facility such as Connections Corrections.

**NOTICE OF RIGHT TO OBJECT TO FINDINGS AND
RECOMMENDATIONS AND CONSEQUENCES OF FAILURE TO
OBJECT**

The parties may serve and file a written objections to the Findings and Recommendations within 14 days of their entry, as indicated on the Notice of Electronic Filing. 28 U.S.C. Section 636(b)(1). A United States district court judge will make a de novo determination regarding any portion of the Findings and Recommendations to which objection is made. The district court judge may accept, reject, or modify, in whole or in part, the Findings and Recommendations. Failure to timely file written objections may bar a de novo determination by the

district court judge and may waive the right to appear and allocute before a district court judge.

DATED this 27th day of November 2024.



John Johnston
United States Magistrate Judge